



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/692,997	10/20/2000	Kenneth J. Klask	M-6017-1C US	7307
32566	7590	10/05/2004	EXAMINER	
PATENT LAW GROUP LLP 2635 NORTH FIRST STREET SUITE 223 SAN JOSE, CA 95134			BONSHOCK, DENNIS G	
			ART UNIT	PAPER NUMBER
			2173	

DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/692,997

Applicant(s)

KLASK, KENNETH J.

Examiner

Dennis G. Bonshock

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 October 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 22-48 is/are pending in the application.
- 4a) Of the above claim(s) 45-48 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 22-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/04, 9/03, 6/01, 10/</u> | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Information Disclosure Statement***

The information disclosure statement filed 10-20-00 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each U.S. and foreign patent; each publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

---

### ***Election/Restrictions***

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claim(s) 22-44, drawn to a system for using an embedded controller and a GUI controller to control for the operation of an interface, classified in class 345, subclass 530.
  - II. Claim(s) 45-48, drawn to a machine language based GUI, classified in class 345, subclass 760.
2. Inventions of group I and group II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, the invention of group I, being a system for using an embedded controller and a GUI controller to control for the operation of an interface, has a separate utility than that in group II, being a machine language based GUI. Accordingly, the method of displaying a plurality of screens of group I may be generated in an entirely different manner from that claimed in groups II, III, and IV. See MPEP § 806.05(d).

3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.
4. Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.
5. During a telephone conversation with David C. Hsia on September 30, 2004 a provisional election was made without traverse to prosecute the invention of Kenneth J. Klask, claims 22-44. Affirmation of this election must be made by applicant in replying to this Office action. Claims 45-48 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

### ***Specification***

6. Applicant is reminded of the proper language and format for an abstract of the disclosure.
7. The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.
8. The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

### ***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 22-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dye, patent #5,995,120 and Margulis, patent #6,118,462.

---

11. With regard to claim 22, Dye teaches, a system that uses a GUI controller to provide for more efficient graphics management than a embedded controller alone (see column 2, lines 32-62), a screen that displays current information and allows for user input, the input can change a GUI property of the display, which is reflected on the display (see column 3, line 62 through column 4, line 20 and column 28, lines 19-34), a system of using multiple buffers to provide the information for displaying the GUI on the screen and for buffering information that corresponds to a new interface (a change) (see column 21, lines 26-58), the use of opcode for attributes of objects or windows, whether it be for maintain a screen display or to effect a change to a different screen (see column 32, lines 33-55 and column 28, lines 13-25), a GUI library (see column 21, lines 27-36), sets of executable code (executable by the CPU) for rendering the display (see column 3, line 61 through column 4, line 7), graphics data stored in a frame buffer (see column 10, lines 59-61), a processor for handling inputs and rendering a GUI (see column 3, line 61 through column 4, line 7), the processor connected to an input device and a digital to analog converter (see column 3, lines 27-43 and column 1, lines 37-37), the processor connected to memory via a memory bus (see column 2, lines 62-66), a

CPU for executing codes for the objects and a frame buffer for rendering objects to the interface (see column 32, lines 33-55, column 11, lines 21-35, and column 10, lines 59-61), and a pixel serialized coupled to the display for refreshing, and object rendering(see column 30, lines 34-55). Dye teaches a graphics controller that is embedded in a memory controller, but doesn't specifically teaches the use two separate and distinct controller. Margulis teaches a system using a graphics controller, similar to that of Dye, but further teaches, in column 2, line 62 through column 3, line 30 and in figure 2, a system with distinct system and graphics controllers each having their own controller specific memory. It would have been obvious to one of ordinary skill in the art, having the teachings of Dye and Margulis before him at the time the invention was made to modify the controller system of Dye, to separate the two controllers. One would have been motivated to make such a combination because Dye teaches two similar controllers, but combines them to minimize memory transfers, similar to that of Margulis.

12. With regard to claim 23, Dye teaches, a system that uses a GUI controller to provide for more efficient graphics management than a embedded controller alone (see column 2, lines 32-62), a system of using multiple buffers to provide the information for displaying the GUI on the screen and for buffering information that corresponds to a new interface (a change) (see column 21, lines 26-58), the use of opcode for attributes of objects or windows, whether it be for maintain a screen display or to effect a change to a different screen (see column 32, lines 33-55 and column 28, lines 13-25), a GUI library (see column 21, lines 27-36), sets of executable code (executable by the CPU)

for rendering the display (see column 3, line 61 through column 4, line 7), graphics data stored in a frame buffer (see column 10, lines 59-61), a processor for handling inputs and rendering a GUI (see column 3, line 61 through column 4, line 7), the processor connected to an input device and a digital to analog converter (see column 3, lines 27-43 and column 1, lines 37-37), the processor connected to memory via a memory bus (see column 2, lines 62-66), a CPU for executing codes for the objects and a frame buffer for rendering objects to the interface (see column 32, lines 33-55, column 11, lines 21-35, and column 10, lines 59-61), and a pixel serialized coupled to the display for refreshing, and object rendering (see column 30, lines 34-55). Dye teaches a graphics controller that is embedded in a memory controller, but doesn't specifically teach the use of two separate and distinct controllers. Margulis teaches a system using a graphics controller, similar to that of Dye, but further teaches, in column 2, line 62 through column 3, line 30 and in figure 2, a system with distinct system and graphics controllers each having their own controller specific memory, and in column 1, lines 48-53, the output device being a flat panel monitor. It would have been obvious to one of ordinary skill in the art, having the teachings of Dye and Margulis before him at the time the invention was made to modify the controller system of Dye, to separate the two controllers. One would have been motivated to make such a combination because Dye teaches two similar controllers, but combines them to minimize memory transfers, similar to that of Margulis.

13. With regard to claim 24, which teaches an output device coupled to the frame buffer to receive the GUI, the output device displaying the GUI to the user, column 3,

lines 36-44 and column 10, lines 59-61, a frame buffer coupled to the Display for providing a GUI to the display.

14. With regard to claims 25 and 36, which teach the output device being an LCD, Margulis teaches, in column 1, lines 48-53, the output device being a flat panel monitor.

15. With regard to claim 26, which teaches a pixel serializer coupled between a frame buffer and the LCD, for outputting each line of the GUI in the buffer to the LCD, Dye teaches, in column 30, lines 34-55, a pixel serialized coupled to the display for refreshing and object rendering, the objects having been stored in a frame buffer (see column 10, lines 59-61).

16. With regard to claims 27 and 37, which teach the source external to the first controller being an input device, the parameter being a command from the user to the second controller for controlling the device, and the processor communicating the parameter with the source by receiving the command from the input device, Dye teaches, in column 28, lines 13-25, the system being usable to accept commands input by a user through an input device, where processing will take place in the IMC.

17. With regard to claims 28 and 38, which teach executable code comprising instructions for the processor to send the command to the second controller, the method further comprising the processor sending the command to the second controller, Margulis teaches, in column 2, line 62 through column 3, line 30 and in figure 2, the processor sending commands to a second controller.

18. With regard to claims 29 and 39, which teach the input device being one of a touch screen, a key pad, an infrared remote, and a voice decoder, Dye teaches, in column 1, lines 32-37, I/O coming from various I/O devices, including a keyboard, etc.

19. With regard to claims 30 and 40, which teach the GUI object being one of a button and a list, Dye teaches, in column 28, lines 13-25, the user interface having clickable GUI objects.

---

20. With regard to claims 31 and 41, which teach the source external to the first controller being a second controller and the parameters being a status of the device from the second controller to the user, and the processor communicating the parameter with the source by receiving the status from the second controller, Dye teaches, in column 27, lines 15-25, refreshing of the display responsive to user requests, in the system with two distinct controllers taught by Margulis.

21. With regard to claims 32 and 42, which teach the GUI object being a text field, Dye teaches, in column 5, lines 40-46, the GUI object being a text field.

22. With regard to claims 33 and 43, which teach a second memory coupled to the processor the second memory storing the document, the processor buffering the document from another memory to the at least one memory, Margulis teaches, in column 2, line 62 through column 3, line 30 and in figure 2, a system in which each controller has its own associated memory where items need be passed between memories for processing/displaying. Items are passed from the graphics controller memory to the system controller memory for processing, and passed from the system controller memory to the graphics controller memory for display.

23. With regard to claims 34 and 44, which teach the second controller further comprising another memory storing the document, the second controller reading the document from the another memory and sending the document to the first controller, the first controller storing the document in the at least one memory, Margulis teaches, in column 2, line 62 through column 3, line 30 and in figure 2, a system in which each controller has its own associated memory where items need be passed between memories for processing/displaying. Items are passed from the graphics controller memory to the system controller memory for processing, and passed from the system controller memory to the graphics controller memory for display.

24. With regard to claim 35, which teaches a system that uses a GUI controller to provide for more efficient graphics management than a embedded controller alone (see column 2, lines 32-62), a screen that displays current information and allows for user input, the input can change a GUI property of the display, which is reflected on the display (see column 3, line 62 through column 4, line 20 and column 28, lines 19-34), a system of using multiple buffers to provide the information for displaying the GUI on the screen and for buffering information that corresponds to a new interface (a change) (see column 21, lines 26-58), the use of opcode for attributes of objects or windows, whether it be for maintain a screen display or to effect a change to a different screen (see column 32, lines 33-55 and column 28, lines 13-25), a GUI library (see column 21, lines 27-36), sets of executable code (executable by the CPU) for rendering the display (see column 3, line 61 through column 4, line 7), graphics data stored in a frame buffer (see column 10, lines 59-61), a processor for handling inputs and rendering a GUI (see

column 3, line 61 through column 4, line 7), and a CPU for executing codes for the objects and a frame buffer for rendering objects to the interface (see column 32, lines 33-55, column 11, lines 21-35, and column 10, lines 59-61). Dye teaches a graphics controller that is embedded in a memory controller, but doesn't specifically teach the use of two separate and distinct controllers. Margulis teaches a system using a graphics controller, similar to that of Dye, but further teaches, in column 2, line 62 through column 3, line 30 and in figure 2, a system with distinct system and graphics controllers each having their own controller specific memory. It would have been obvious to one of ordinary skill in the art, having the teachings of Dye and Margulis before him at the time the invention was made to modify the controller system of Dye, to separate the two controllers. One would have been motivated to make such a combination because Dye teaches two similar controllers, but combines them to minimize memory transfers, similar to that of Margulis.

### ***Conclusion***

25. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach systems using a control system where graphics data is treated separately from the embedded controller.

26. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis G. Bonshock whose telephone number is (571)

Art Unit: 2173

272-4047. The examiner can normally be reached on Monday - Friday, 6:30 a.m. - 4:00 p.m.

27. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

28. Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.


For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

9-30-04

dgb



RAYMOND J. BAYERL  
PRIMARY EXAMINER  
ART UNIT 2173